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order

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The Select Committee on Children  
Room 011, Capitol Building  
Hartford, CT 06106

**Re: RAISED BILL NO. 156, AN ACT CONCERNING SIBLING VISITATION FOR CHILDREN IN THE CARE AND CUSTODY OF THE COMMISSIONER OF CHILDREN AND FAMILIES**

Dear the Select Committee on Children,

The following testimony is submitted to in support of Raised Bill No. 156. Raised Bill No. 156, *An Act Concerning Sibling Visitation for Children in the Care and Custody of the Commissioner of Children and Families*, would ensure that children and youth committed to the custody of the Commissioner visit with their siblings on a minimum basis in order to sustain the bonds between siblings.

**What would this bill accomplish?**

Under current law, the Commissioner *shall* ensure that a foster child has access to and visitation rights with his or her siblings. **There is no set benchmark as to the frequency or duration of sibling visits.** Unfortunately for the child, the burden is upon the child or child's attorney to argue for increased access and visitation with siblings. Frequently, any request for more consistent or frequent visitation is met with refusal. The Commissioner cites, as justification, a "lack of case aids," or "lack of resources". As attorneys representing children, Oakley & Chizinski, LLC has even been told by the Department of Children and Families that committed children "are lucky to get monthly visits."

- Raised Bill No. 156 **establishes a requirement that visits occur on a weekly basis**, unless the Commissioner finds that the frequency of such visitation is not in the best interests of each sibling.
- Raised Bill No. 156 **shifts the legal burden of proof to the Commissioner**, who would be responsible for demonstrating that weekly sibling visits are not in the best interests of the child before visits could be withheld.
- Raised Bill No. 156 clarifies that the **sole factor to be considered in determining the frequency of sibling visitation is the best interest of the child**, rather than financial expense or convenience.

**Why is this bill important?**

Despite current law requiring the provision of sibling visits to foster children, **such visits are often infrequent in number, irregular in timing, and provided solely at the whim of the Commissioner.** Research has shown that the **single most important factor** in getting children back with their biological families is regular and frequent visits.<sup>1</sup> A benchmark requirement must be established in order to protect the beneficial effects of sibling visitation for foster children:

- When children are not placed together, **visits can help maintain the attachment to family and lessen the trauma of being placed apart.**<sup>2</sup>
- When visits are regular and frequent, and allow opportunity to connect in a meaningful way, they have many of the same benefits of sibling placement together: **less trauma and loss, feeling of belonging, shared history, and opportunity to work through problems.**<sup>3</sup>

<sup>1</sup> New York State Office of Children and Family Services, White Paper on Sibling Placement and Visits, 16 (2007), available at <http://ocfs.ny.gov/main/reports/Sibling%20White%20Paper%20wES.pdf>.

<sup>2</sup> *Id.* at 15.

<sup>3</sup> *Id.* at 16.